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April 22, 1999 LB 822

introduced.) For continued discussion on the Kremer amendment to the Schimek amendment to LB 822, Senator Raikes, followed by Senators Janssen, Matzke, Schimek, Stuhr, Cudaback, Smith, Dierks, and Chambers.

SENATOR RAIKES: Thank you, Mr. President, members. I am going to speak against the Kremer amendment. I'd like to explain a little bit why. I'm apparently missing at least one major point, maybe several, but Senator Schrock mentioned that we don't want to create a crisis atmosphere, that we don't want to continually have counties coming to the Legislature asking for relief on zoning. I think the best way to create such a crisis atmosphere is to put a date on this policy, to put an ending date. For one thing, if a county has to move quickly and, as Senator Beutler has pointed out, maybe not as carefully as they might in order to achieve that date, the other thing that comes up is what if they don't make the date? Then you've got somebody that's beyond it and certainly a candidate then to come back to the Legislature and say, well, we need...we need more time or we need a special provision. There are significant restrictions in this proposal. Counties are not allowed, as a matter of interim zoning, to go out and do whatever they want to do. There are considerable restrictions on what they can do with livestock operations. They can only use this provision once, and there are a number of other provisions. Senator Beutler made another point which I'd like to emphasize. This may well lead to an improved permanent zoning plan, simply because you can take more time to arrive at the...at the zoning regulation and there would be some education, if you will, that goes on, because counties would be, as a matter of developing an interim zoning plan, looking at the zoning regulations that other nearby counties have already adopted. From the viewpoint of a livestock operator, I would suggest that probably most livestock operators who plan to remain in a county for any length of time, and if they're going to make a serious investment in a livestock facility, would like to be assured or have some assurance that their presence is consistent with the wishes of that county. So, there again, I don't understand why you would want to put any date at all. And certainly, if you are going to put a date, it would make sense to me to have a distant date rather than a nearby one. Finally, I'll mention the argument has been made several times that counties have had